

# California Regional Water Quality Control Board

## Central Coast Region

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>  
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-7906  
Phone (805) 549-3147 • FAX (805) 543-0397

### NOTICE OF PUBLIC MEETING

#### CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD MEETING

**Friday, October 22, 2004**  
**Santa Barbara County Supervisors Board Hearing Room**  
**105 East Anapamu St. - 4th Floor, Santa Barbara, Ca 93101**  
**[See Page 10 for location map]**

[Staff will review and transmit all written material to the Board Members received by Wednesday of the week prior to the Board meeting, 5:00 p.m., or by any earlier due date required in a hearing notice for a specific agenda item. Please see the Conduct of Meeting section on Page 7, and below, for the Regional Board's procedures for accepting late submittals.]

[The Board and staff welcome information on pertinent problems, but comments at the meeting should be brief and directed to specifics of the case to enable the Board to take the appropriate action. Whenever possible, lengthy testimony should be presented to the Board in writing and only a summary of pertinent points presented verbally. In order to give everyone an opportunity to be heard, comments should have been previously submitted in writing and a time limit on presentations may be imposed on any agenda item. Speakers should plan to summarize key points within three minutes. Please notify staff three weeks prior to meetings of a request for presentations planned for longer than three minutes, for scheduling purposes. The Chair will decide if the request should be granted, and staff will let the speakers know if the Chair granted the request.

**Note: Public Forum to be no earlier than 1:30 p.m.**

**Friday, October 22, 2004, 8:30 a.m.**

1. Roll Call [Carol Hewitt 805/549-3503].....Board Members Present
2. Introductions [Roger Briggs 805/549-3140] ..... Guests and Staff Present
- 2a. [Resolution of Appreciation for the Los Osos Community Services District](#).....Resolution No. R3-2004-0164
3. Approval of September 10, 2004 Meeting Minutes. ....Board Motion
4. Report by State Water Resources Control Board Liaison [Gary Carlton 916/341-5603] .....Status Report

Your comments on agenda items should be submitted according to the deadlines we send with draft agenda items to our interested parties lists. The Regional Board can then review your comments with our staff analysis and response. If you wish to be added to our list for a specific item, please contact the staff person listed with each item in this agenda notice.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**  
**Central Coast Regional Board Meeting Agenda**

**2**  
**October 22, 2004**

5. Uncontested Items Calendar.....Board Motion  
*(Agenda Item numbers 12, 13, 14, and 15 with a single asterisk (\*), are expected to be routine and non-controversial. Recommended action on these items will be taken at the beginning of the meeting without discussion. If any Interested Party, Board Member, or the Executive Officer requests that an item be removed from the calendar, it will be taken up in order).*

**Low Threat and General Discharge Cases**

6. [Low Threat and General Discharge Cases](#).....Information/Discussion/Board Approval

**Low Threat General NPDES Permit:**

Red Diamond Cooling, Inc., Santa Barbara County [Sorrel Marks 805/549-3695]

Santa Clara Valley Water District, Santa Clara County [Matthew Keeling 805/549-3685]

**General Waste Discharge Requirements:**

Small Winery Waivers, [Matt Thompson, 805/549-3159]

**General Waste Discharge Requirements for Discharges of Winery Waste:**

Bianchi Vineyard, Paso Robles, San Luis Obispo County [Tom Kukol 805/549-3689]

**Waiver of Waste Discharge Requirements**

Buttonwood Farms Winery, Solvang, Santa Barbara County [Matt Thompson, 805/549-3159]

**General Waste Discharge Requirements for Discharges from Fruit and Vegetable Processing Facilities:**

Pride of San Juan, San Juan Bautista, San Benito County [Matthew Keeling 805/549-3685]

**Statewide General Waste Discharge Requirements Order No. 97-10-DWQ:**

Santa Cruz County Service Area Nos. 5 and 20; Canon Del Sol, Sand Dollar Beach, and Trestle Beach  
[Mike Higgins 805/542-4649]

Vina Robles Hospitality Building, Paso Robles, San Luis Obispo County [Tom Kukol 805/549-3689]

**Recommended Case Closures:**

Kett Ranch, 110 Carlton Road, Watsonville, Santa Cruz County [Tom Sayles 805/542-4640]

Arco Service Station No 393, 1201 Ysabel Road, Paso Robles, San Luis Obispo County

[Corey Walsh 805/542-4781]

Colony Associates, Portola & West Frontage Roads, Atascadero, San Luis Obispo County

[Corey Walsh 805/542-4781]

**Cleanup Cases** (Note: Board may give direction to staff)

7. [Perchlorate Cases](#).....Status Reports  
Whittaker Corporation, San Benito County [David Athey 805/542-4644]  
McCormick Selph, San Benito County [David Athey 805/542-4644]  
Olin Corporation, Santa Clara County [David Athey 805/542-4644]
8. [Corrective Action Plan Approval](#).....Status Report  
Former Terrible Herbst Station No. 100, 1140 Broadway, King City, Monterey County  
[John Goni 805/542-4628]

**Enforcement**

9. [Enforcement Report](#) [Gerhardt Hubner 805/542-4647] .....Status Report

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**  
**Central Coast Regional Board Meeting Agenda**

**3**  
**October 22, 2004**

**Permits**

10. [City of Santa Barbara El Estero WWTP](#), Santa Barbara County..... Order No.2004-0122  
(Reissuance of NPDES Permit No. CA0048143) [Todd Stanley 805/542-4769]

**Waste Discharge Requirements**

11. [Wastewater Collection Systems Tributary to the El Estero WWTP](#)..... Order No. 2004-0123  
(Issue Waste Discharge Requirements) [Todd Stanley 805/542-4769]
- \*12. [Moss Landing Power Plant](#), Monterey County ..... Order No. 2004-104  
(Renewal of Waste Discharge Requirements for Class I Wastewater Surface Impoundments  
and for Exemptions to the Toxic Pits Cleanup Act) [David Schwartzbart 805/542-4643]
- \*13. [Morro Bay Power Plant](#), San Luis Obispo County ..... Order No. 2004-105  
(Renewal of Waste Discharge Requirements for Class I Wastewater Surface Impoundments  
and for Exemptions to the Toxic Pits Cleanup Act) [David Schwartzbart 805/542-4643]
- \*14. [Santa Cruz County Service Areas Nos. 5 and 20](#)..... Order Nos. 89-64, 89-71, 89-90  
(Rescission of Waste Discharge Requirements) [Mike Higgins 805/542-4649]
- \*15. [South San Luis Obispo County Sanitation District](#), Hilton Biosolids Site ..... Order No. 95-01  
(Rescission of Waste Discharge Requirements) [Sorrel Marks 805/549-3695]

**Public Forum**

16. Public Forum **No earlier than 1:30 p.m.**..... Board Direction  
(Any person may address the Board on any matter within its jurisdiction that is not on the agenda. Please walk to the rostrum and after receiving recognition from the Chair, give your name and address, and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief. The Chair generally limits the time allotted to each speaker to **three** minutes).

**Status Reports**

17. [Status Report on Landfills in Santa Barbara County](#) ..... Information Item  
[Hector Hernandez 805/542-4641]
18. [Permeable Surfaces Improve Water Quality](#)..... Information Item  
[Peter von Langen 805/549-3688]

**Administrative Items**

19. Reports by Regional Board Members ..... Status Report
20. [Board Meeting Schedule for 2005](#) ..... Board Approval
21. [Adoption of Resolution Appointing Hearing Panel](#)..... Resolution No. R3-2004-0168
22. Staff Organization, Budget/Funding Status [Brad Hagemann 805/549-3697] ..... Information Item  
This Item will follow at a later date

23. [Executive Officer's Report](#) [Roger Briggs 805/549-3140] ..... Information/Discussion  
Water Quality Certifications  
*(A chart is provided in the agenda listing the applications received from August 1, 2004 through August 31, 2004). A listing of pending applications for Water Quality Certifications pursuant to Section 401 of the Clean Water Act may be obtained by calling Sandy Cheek at 805/542-4633).*

Status Reports (Informational Updates; NOTE: Board may give policy direction):

**Watershed Reports**

Duke Energy Moss Landing Power Plant Mitigation - Elkhorn Slough Foundation

[Michael Thomas 805/542-4623]

City of Hollister Long-Term Wastewater Management, Budget Update [Matthew Keeling 805/549-3685]

Hollister will be discussed **no earlier than 1:00 p.m.**

**Regionwide Reports**

Total Maximum Daily Load Program [Lisa Horowitz McCann 805/549-3132]

Regional Monitoring and Basin Planning [Karen Worcester 805/549-3333]

**Cleanup Reports**

Underground Tanks Summary Report dated September 17, 2004 [Burton Chadwick 805/542-4786]

**Administrative Reports**

Presentations and Training [Roger Briggs 805/549-3140]

**Closed Session**

Discussion of Cases in Litigation [Staff Counsel Lori Okun]..... Closed Session  
*(The Board will meet in closed session to discuss pending litigation in the cases of South County Regional Waste Water Authority v. Regional Water Quality Control Board; Voices of the Wetlands, et al. v. Regional Water Quality Control Board; Birkey et al. v. Olin Corporation et al. (Santa Clara County Superior Ct. No. 104CV012714); Goleta Sanitary District v. Regional Water Quality Control Board and State Water Resources Control Board (Santa Barbara County Superior Ct. No. 1156012); Petitions of Cambria Community Services District and Cambria Legal Defense Fund (SWRCB/OCC File Nos. A-1462, A-1462(a)); Petition of Los Osos Community Services District (SWRCB/OCC File No. A-1337); Petition of Julian Weissglass et al, SWRCB-OCC File No. A-1598; Petition of Olin Corporation et al. SWRCB-OCC File no. A-1654 and A-1654(a); Petition of Wells & Haws SWRCB/OCC File A1659 (Former Fenn Dry Cleaners, 201 E. Figueroa St, Santa Barbara; Petition of Castle Vegtech; and Petition of the City of Arroyo Grande SWRCB-OCC File No. A-1618, as authorized by Government Code (GC) Section 11126[e][2][A]. The Board may discuss significant exposure to litigation as authorized by GC Section 11126[e][2][B]. The Board may also decide whether to initiate litigation as authorized by GC Section 11126[e][2][C].*

**Adjournment**

There is a specially scheduled meeting on November 19, 2004, in San Luis Obispo. The next regularly scheduled Board meeting is on December 2-3, 2004, in San Luis Obispo.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**  
**Central Coast Regional Board Meeting Agenda**

**5**  
**October 22, 2004**

**REGIONAL BOARD MEETING SCHEDULE 2004**

<b>Date</b>	<b>City</b>	<b>Address</b>
January 9, 2004 (Ag workshop)	Salinas	Richard W. Nutter Agricultural Conference Center 1432 Abbott Street, Salinas, CA 93901
February 5-6, 2004	San Luis Obispo	Regional Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
March 19, 2004	Salinas	Salinas City Council Chamber Rotunda 200 Lincoln Avenue, Salinas, CA 93901
May 13-14, 2004	San Luis Obispo	Regional Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
June 9, 2004	(Offsite) Avila Beach	Avila Beach – Cal Poly Pier (former Unocal pier) Avila Beach, CA 93424
July 8-9, 2004	Watsonville	Watsonville City Council Chambers, 250 Main Street, Watsonville, CA 95076
September 10, 2004	San Luis Obispo	Regional Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906
October 22, 2004	Santa Barbara	Santa Barbara County Supervisors Board Hearing Room 105 East Anapamu St. - 4th Floor, Santa Barbara, CA 93101
December 3, 2004	San Luis Obispo	Regional Board Conference Room 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906

**LEAD STAFF PERSONS**

Roger W. Briggs, <i>Executive Officer</i>	805-549-3140
Brad Hagemann, <i>Assistant Executive Officer/Ombudsman</i>	805-549-3697
Carol Hewitt, <i>Executive Assistant</i>	805-549-3503
Cyndee Jones, <i>Regional Administrative Officer</i>	805-549-3372
Lori Okun, <i>Staff Counsel</i>	916-341-5165
vacant, <i>SLIC</i>	805-542-4645
Harvey Packard, <i>Northern Permitting</i>	805-542-4639
Chris Adair, <i>Northern Non-point Source/Stormwater</i>	805-549-3761
Gerhardt Hubner, <i>Southern Permitting</i>	805-549-4647
Eric Gobler, <i>DOD-Perchlorate Sites</i>	805-549-3467
Lisa Horowitz McCann, <i>Watershed Assessment</i>	805-549-3132
John Robertson, <i>Southern Non-point Source/Stormwater</i>	805-542-4630
Karen Worcester, <i>Regional Monitoring/Basin Planning</i>	805-549-3333

*Please send or fax correspondence to:*

**Regional Water Quality Control Board – Central Coast Region**  
**895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906**  
**Phone: 805-549-3147      Fax: 805-543-0397**

*(When mailing or faxing correspondence, please note comment at bottom of Page 1 of this notice)*

**CENTRAL COAST REGIONAL BOARD MEMBERS**

<b>Board Member</b>	<b>Appointment Category</b>	<b>Term Expires</b>
Leslie S. Bowker Los Osos	County Government	9/30/2007
Bruce K. Daniels Capitola	Water Quality	9/18/2006
VACANT	Irrigated Agriculture	9/30/2004
Russell M. Jeffries Vice-Chair, Salinas	Water Quality	9/30/2004
Daniel M. Press Santa Cruz	Public	9/30/2004
VACANT	Industrial Water Use	9/30/2004
Gary Shallcross Monterey	Recreation, Fish or Wildlife	9/18/2006
Donald A. Villeneuve Cambria	Water Supply	9/30/2005
Jeffrey S. Young Chair - Santa Barbara	Municipal Government	9/30/2005

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**  
**Central Coast Regional Board Meeting Agenda**

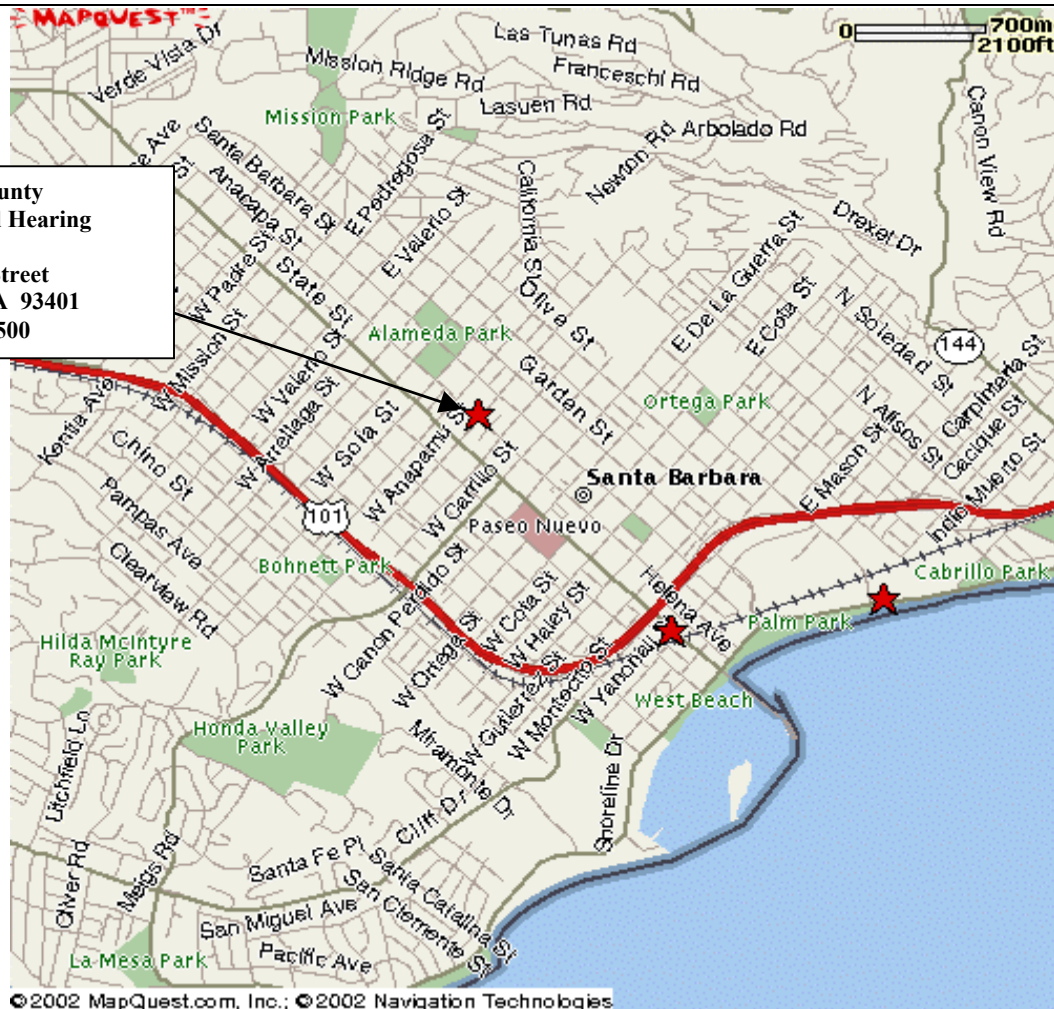
**7**  
**October 22, 2004**

**CONDUCT OF MEETING AND HEARING PROCEDURES**

- A - The primary duty of the Regional Board is to protect the quality of waters within the Region for all beneficial uses. This duty is implemented by formulating and adopting water quality plans for specific ground or surface water basins and by prescribing and enforcing requirements on all domestic, municipal, and industrial waste discharges. Specific responsibilities and procedures of the Regional Water Quality Control Boards and the State Water Resources Control Board are outlined in the Porter-Cologne Water Quality Act (Division 7), California Water Code.
- B - The purpose of the meeting is for the Board to obtain testimony and information from staff and concerned and affected parties and make decisions after considering the recommendations made by the Executive Officer. The Board will vote only on matters listed on the agenda. The Board may give direction to the Executive Officer on any matter discussed during the meeting.
- C - Agenda items are numbered for identification purposes and will not necessarily be considered in the order listed.
- D - **RULES FOR LATE SUBMISSION OF WRITTEN MATERIALS:** This paragraph applies only if there are no deadlines for written testimony or comments in a separate hearing notice for an item. Written material received after the due date on the first page of the agenda and before noon on the Monday of board meeting week generally will not be provided to Board members until the day of the meeting, but will become part of the record. Written material received after noon on the Monday of board meeting week will not be provided to Board members or become part of the record, unless the Chair rules that exclusion would create a severe hardship and that no party (including Regional Board staff) will be prejudiced by the late submission. The Chair will rule at or before the hearing. Late submissions that consist of evidence (as opposed to policy statements or comments) will generally be deemed prejudicial unless all designated parties (see below) have time to consider the evidence before the meeting.
- E - The Board and staff welcome information on pertinent problems, but comments at the meeting should be brief and directed to specifics of the case to enable the Board to take the appropriate action. Whenever possible, lengthy testimony should be presented to the Board in writing and only a summary of pertinent points presented verbally. In order to give everyone an opportunity to be heard, comments should have been previously submitted in writing and a time limit on presentations may be imposed on any agenda item. Speakers should plan to summarize key points within three minutes. Please notify staff three weeks prior to meetings of a request for presentations planned for longer than three minutes, for scheduling purposes. The Chair will decide if the request should be granted.
- F - Material presented to the Board, as part of testimony (e.g., photographs, slides, charts, diagrams, etc.) that is to be made part of the record must be left with Executive Assistant, Carol Hewitt. Photographs or slides of large exhibits are acceptable. If you plan to use visual aids such as PowerPoint, contact the Regional Board staff prior to the meeting to arrange for equipment set-up. Documents cited as references or in bibliographies shall not become part of the record absent compliance with California Code of Regulations, Title 23, Section 648.3 (incorporation by reference). See paragraph I of these procedures for additional materials that are part of the administrative record.
- G - **HEARING RULES FOR CONTESTED HEARINGS ON WASTE DISCHARGE OR WATER RECYCLING REQUIREMENTS, NPDES PERMITS, ADMINISTRATIVE CIVIL LIABILITY ORDERS AND INVESTIGATION OR ENFORCEMENT ORDERS [CWC §§ 13267, 13300-13308, 13383]:** Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. Designated parties are Regional Board staff and any person named in the proposed order. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of an item by submitting such request in writing to the Regional Board no later than two weeks after the draft order is available for public comment (or any earlier or later date specified in a hearing notice for a specific item). The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.
- H - The Board Chair may specify a time limit for oral presentations and testimony. Board members may interrupt a presentation with questions or comments. The time for Board member questions and witnesses' answers will not count toward the time limit for a presentation.
- I - All Board files, exhibits, and agenda material pertaining to items on this agenda are hereby part of the record.
- J - Any person affected adversely by a certain decision of the California Regional Water Quality Control Board, Central Coast Region (Regional Board), may petition the State Water Resources Control Board (State Board) according to Water Code section 13320 and Title 23 California Code of Regulation section 2050. The Petition should be addressed to Office of Chief Counsel and must be filed within 30 days of the Executive Officer's or the Board's action or failure to act. The State Board must receive the petition within 30 days of the Regional Board's meeting at which the action was taken. Copies of the law and regulations applicable to filing petitions will be provided upon request.
- K - A copy of the procedures governing Regional Water Quality Control Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Regional Board are not conducted pursuant to Government Code sections 11400 et seq. but not Government Code sections 11500 et seq.
- L - The facility is accessible to people with disabilities. Individuals who require special accommodations are requested to contact John Goni (805/542-4728) at least five working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.
- M - All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit pending before the Regional Board must submit a statement to the Board disclosing any contributions of \$100 or more to be used in a federal, state, or local election, made by the action supporter or opponent, or his or her agent within the last 12 months to any Regional Board Member.
- N - All permit applicants or persons who actively support or oppose adoption of a set of waste discharge requirements or an NPDES permit pending before the Regional Board, are prohibited from making a contribution of \$100 (or more) to any Board Member for three months following a Regional Board decision on the permit application.



**Santa Barbara County Supervisors Board Hearing Room**  
**105 East Anapamu St. - 4th Floor, Santa Barbara, Ca 93101**



**Santa Barbara County  
Supervisors Board Hearing  
Room – 4<sup>th</sup> Floor  
105 E. Anapamu Street  
Santa Barbara, CA 93401  
Phone: 805-568-3500**